

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/625,979

Filing Date: July 24, 2003

Applicant: Nagaraj Jayanth et al

Group Art Unit: 3744

Examiner: Chen Wen Jiang

Title: Compressor Diagnostic System for Communicating with
with an Intelligent Device

Attorney Docket: 0315-0510COC

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

The Examiner's Statement of Reasons for Allowance is respectfully traversed. Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear [the Examiner's] reasons for allowing a claim or claims." 37 C.F.R. 1.104 (e). In the present case, Applicants believe the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted, especially since the statement may unfairly focus on certain reasons for allowance that are not reflected by the prosecution history. Therefore, the record should reflect that Applicants do not necessarily agree with each

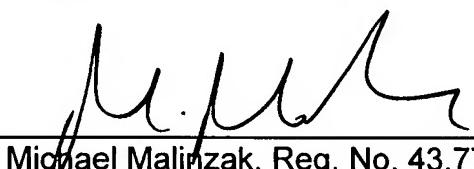
statement in the reasons for allowance and specifically disagrees with the narrow characterization of Applicants' claimed invention.

More specifically, while Applicants believe that each of the claims are patentably distinct over the prior art, Applicants submit that patentability does not reside solely in the combination of features identified in the Examiner's reasons, or that each feature or combination of features identified therein is required for patentability, or that equivalents of any of the recited features are outside the scope of the claims. Each and every allowed claim is novel and nonobvious due to the combination of elements contained therein and not due to any single element. Thus, every element should be interpreted as broadly as claimed with all equivalents. Moreover, to the extent the reasons for allowance do not separately address the subject matter of each claim, Applicants submit that the failure to address each claim does not infer that the subject matter thereof fails to present other reasons for allowance apart from those specifically stated by the Examiner.

Respectfully submitted,

Dated: November 15, 2007

By:


Michael Malinzak, Reg. No. 43,770

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MM/d

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/625,979
Filing Date	7/24/03
First Named Inventor	Nagaraj Jayanth et al
Art Unit	3744
Examiner Name	Chen Wen Jiang
Total Number of Pages in This Submission	7
Attorney Docket Number	0315-00510COC

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input checked="" type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Check No. 91235 dated 11/14/07 for \$1,740.00; PTOL-85, Part B dated 11/15/07; Comments on Statement of Reasons for Allowance dated 11/15/07; postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Harness, Dickey & Pierce, P.L.C.

Signature

Printed name Michael Malinzak

Date

November 15, 2007

Reg. No.

43770

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Michael Malinzak	Express Mail Label No.	EM 061 814 091 US
Signature		Date	November 15, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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